

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

IN RE: NEW YORK COUNTY ASBESTOS
LITIGATION

This document Relates to:
CHRISTIAN F. HOLINKA.,

Plaintiff,

v.

A.W.CHESTERTON COMPANY, et al.,

Defendants.

NYCAL
I.A.S. Part 39
(Freedman, J.)

Index. No. 11420/06

NOTICE OF MOTION FOR
PRO HAC VICE ADMISSION OF
BRENDA N. BUONAIUTO

6-14-07
SUBM

114120/06 DA 013061

006C

SRWC

PLEASE TAKE NOTICE that upon the annexed Affirmation of Daniel B. Carroll,
affirmed on May 25, 2007, the attached Affidavit of Brenda N. Buonaiuto, sworn to on May 24,

2007, and the exhibit thereto, and all prior pleadings and proceedings in this manner, the

undersigned counsel for defendant, Baxter Healthcare Corporation, will move this Court at the

I.A.S. Motion Part, room 130 of the New York State Supreme Court Building, 360 Centre Street,

New York, New York 10007, on the 14th day of June, 2007, at half past nine o'clock in the

forenoon thereof for an Order admitting Brenda N. Buonaiuto, Esq., to appear and participate in

the captioned matter pro hac vice, and for such other and further relief as the Court deems just

and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to CPLR § 2214(b), answering

papers, if any, shall be served upon the undersigned at least two days before the return date of

motion.

FILED
AUG 15 2007

NEW YORK
COUNTY CLERK'S OFFICE

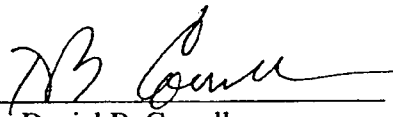
SUPREME COURT STATE OF NEW YORK	
APPROVED	
I.A.S. MOTION SUPPORT OFFICE	
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EA	
CLERK'S INITIALS	

On adversary will be notified of the
change on this notice.

Paralegal

Dated: New York, New York
May 25, 2007

DRINKER BIDDLE & REATH LLP

By: 
Daniel B. Carroll
140 Broadway, 39th Floor
New York, New York 10005-1116
(212) 248-3140

TO: SEE ATTACHED COUNSEL LIST

Holinka v. A.W. Chesterton Company, et al.
Index No. 114120/06

SERVICE LIST:

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David F. Abernethy, Esq.
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(counsel for VWR International, Inc.)

SUPREME COURT OF THE STATE OF NEW YORK
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**AFFIRMATION OF
DANIEL B. CARROLL**

DANIEL B. CARROLL, an attorney duly admitted to practice law before the Courts of the State of New York, hereby affirms under penalty of perjury that:

1. I am a partner with the law firm of Drinker Biddle & Reath LLP, attorneys for defendant Baxter Healthcare Corporation ("Baxter"). I am familiar with the facts of this case, and I submit this Affirmation in support of Baxter's application to permit Brenda N. Buonaiuto ("Ms. Buonaiuto") to appear in this action *pro hac vice*.

2. Ms. Buonaiuto is counsel to Drinker Biddle & Reath LLP and is resident in its San Francisco office. As set forth in the Affidavit of Ms. Buonaiuto, attached as Exhibit A, she is a graduate of Santa Clara University School of Law and is admitted to practice before the Courts of the States of California and Connecticut. Ms. Buonaiuto is a member in good standing of these Bars. A Certificate of Good Standing from the State of California is attached to Ms. Buonaiuto's Affidavit.

3. Ms. Buonaiuto is familiar with the facts of this case. She has represented Baxter

in litigation similar to this matter, and she has been asked to be actively involved in this action.

4. There are no disciplinary proceedings pending against Ms. Buonaiuto in any jurisdiction, no discipline has previously been imposed upon her in any jurisdiction, and she has agreed to comply with the rules governing the Courts of New York, including all disciplinary rules.

WHEREFORE, I respectfully request that Brenda N. Buonaiuto be admitted *pro hac vice* for the purpose of appearing and participating in this action on behalf of Baxter, and for such other and further relief as this Court deems appropriate.

Dated: New York, New York
May 25, 2007

DRINKER BIDDLE & REATH LLP

By: 

Daniel B. Carroll
140 Broadway, 39th Floor
New York, New York 10005-1116
(212) 248-3140

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**AFFIDAVIT OF
BRENDA N. BUONAIUTO**

BRENDA N. BUONAIUTO, being duly sworn according to law, upon her oath deposes and says:

1. I am counsel with the law firm of Drinker Biddle & Reath LLP, which maintains an office at 140 Broadway, 39th Floor, New York, New York. I practice out of Drinker Biddle & Reath LLP's office located at 50 Fremont Street, 20th Floor, San Francisco, California.

2. I graduated from Santa Clara University School of Law in 1994. I am admitted to practice before the Courts of the State of California (1994) and Connecticut (1996). I am a member in good standing of those Bars. I actively practice in the State of California and am of inactive status in Connecticut. A certificate of Good Standing from the State of California is attached as Exhibit A.

3. I am associated in this matter with Daniel B. Carroll, a member in good standing of the Bar of the State of New York.

4. I am not currently suspended or disbarred in any jurisdiction.

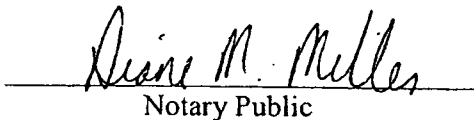
5. I am not the subject of any pending disciplinary matter in any jurisdiction, and no discipline has previously been imposed upon me in any jurisdiction.

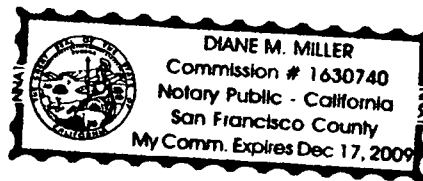
6. There is good cause for my admission *pro hac vice* in this matter. I am counsel in this matter for defendant Baxter Healthcare Corporation. I have been actively involved in the representation of Baxter in litigation similar to this matter, and I have been asked to be actively involved in this action. I am familiar with the facts of this case, and I will comply with the rules governing the Courts of New York, including all disciplinary rules.

WHEREFORE, I respectfully request that I be admitted *pro hac vice* for the purpose of appearing and participating in this action and for such other and further relief as this Court deems appropriate.


BRENDA N. BUONAIUTO

Sworn to and subscribed before me on
this the 24th day of May, 2007.


Notary Public





Supreme Court of California

FREDERICK K. OHLRICH

Clerk of the Court

**CERTIFICATE OF THE CLERK OF THE SUPREME COURT
OF THE
STATE OF CALIFORNIA**

BRENDA NAOMI BUONAIUTO

I, FREDERICK K. OHLRICH, Clerk of the Supreme Court of the State of California, do hereby certify that BRENDA NAOMI BUONAIUTO was on the 7TH day of DECEMBER, 1994, duly admitted to practice as an attorney and counselor at law in all the courts of this state; and that her name now appears on the Roll of Attorneys as a member of the bar of this state in good standing.

*Witness my hand and the seal of the court,
this 23rd day of May, 2007.*

FREDERICK K. OHLRICH

Clerk of the Supreme Court

By: _____

A handwritten signature in dark ink, appearing to be "J. Reis", is written over a horizontal line.

Deputy Clerk

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AFFIDAVIT OF SERVICE

Timothy J. Fraser, being duly sworn, deposes and says:

I am over the age of eighteen and I am not a party to this action. On May 25, 2007, I caused a true and correct copy of the foregoing Motion for Pro Hac Vice Admission of Brenda N. Buonaiuto to be served upon the following via Federal Express:

Benjamin Darche, Esq.
Weitz & Luxenberg
180 Maiden Lane
New York, New York 10038-4925
(*counsel for plaintiff*)

On May 25, 2007, I caused a true and correct copy of the foregoing Motion for Pro Hac Vice Admission of Brenda N. Buonaiuto to be served upon the following via first class mail with adequate postage affixed thereto:

Julie Evans, Esq.
Wilson, Elser, Moskowitz, Edelman & Dicker
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New York, New York 10017-5639
(*counsel for A.W. Chesterton Co.*)

Judith Yavitz, Esq.
Anderson, Kill, Olick & Oshinsky
1251 Avenue of the Americas
New York, New York 10020-1000
(counsel for Amchem Products, Inc. and Certain Teed Corporation)

Theodore Eder, Esq.
Segal McCambridge Singer & Mahoney
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(*counsel for Ingersoll-Rand Co.*)

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(*counsel for Manorcare Health Services, Inc., d/b/a Manor Care, Inc.*)

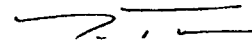
Linda Yassky, Esq.
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New York, New York 10020
(*counsel for Rapid American Corporation*)

Ian Grodman, Esq.
Law Offices of Ian R. Grodman, P.C.
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(*counsel for Rheem Manufacturing Company, Inc.*)

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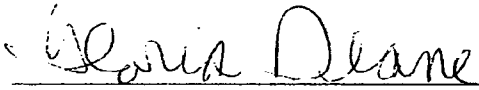
David F. Abernethy, Esq.
Drinker Biddle & Reath LLP
One Logan Square
18th & Cherry Streets
Philadelphia, Pennsylvania 19103-6996
(counsel for VWR International, Inc.)

these being their last known addresses.



Timothy J. Fraser

Sworn to and subscribed before me on
this the 25th day of May, 2007.



Notary Public

GLORIA DEANE
A Notary Public Of New Jersey
My Commission Expires December 15, 2007

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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Index No. 114120-06

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ASBESTOS LITIGATION

CHRISTIAN F. HOLINKA

Plaintiff

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Defendants.

NYS SUPREME COURT
RECEIVED
MAY 25 2007
JAS MOTION
SUPPORT OFFICE

**MOTION TO ADMIT BRENDA N. BUONAIUTO
*PRO HAC VICE***

DRINKER BIDDLE & REATH LLP
140 Broadway, 39th Floor
New York, New York 10005-1116
(212) 248-3140

Attorneys for Defendant, Baxter International Inc.